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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10
11 MARIO A. VALENZUELA,

12 Plaintiff,

13 v.

14 SANTIESTEBAN, *et al.*,

15 Defendants.
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1:20-cv-01093-NONE-BAM (PC)

ORDER TO SHOW CAUSE REGARDING
DEFENDANTS' FAILURE TO COMPLY
WITH COURT ORDER

(ECF No. 38)

SEVEN (7) DAY DEADLINE

18 Plaintiff Mario A. Valenzuela ("Plaintiff") is a state prisoner who proceeded *pro se* and *in*
19 *forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds
20 against Defendants Santiesteban, Rodriguez, and Alejo for excessive force in violation of the
21 Eighth Amendment and against Defendant Perez for failure to protect in violation of the Eighth
22 Amendment, arising from the incident on June 22, 2019.

23 On April 9, 2021, the Court granted Defendants' motion to stay this civil action until
24 Plaintiff's criminal charges in Kings County Superior Court, case number 20CM-1621, arising
25 from the same June 22, 2019 incident involved in this action, are resolved. (ECF No. 38.)
26 Defendants were directed to file a status report within ninety (90) days from the date of service of
27 that order, and every sixty (60) days thereafter, addressing the status of the criminal proceedings
28 until they are resolved. (*Id.* at 6.)

1 Defendants' first status report was due on or before July 8, 2021. A status report has not
2 been received by the Court as of the date of this order.

3 Accordingly, within **seven (7) days** from the date of service of this order, Defendants are
4 HEREBY ORDERED to show cause by written response regarding Defendants' failure to file a
5 status report addressing the status of Plaintiff's criminal proceedings, on or before July 8, 2021.
6 Defendants may comply with this order by filing a status report in compliance with the Court's
7 April 9, 2021 order.

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9 IT IS SO ORDERED.

10 Dated: July 12, 2021

11 /s/ Barbara A. McAuliffe
12 UNITED STATES MAGISTRATE JUDGE
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